

Appl. No. 10/629,473
Amdt. Dated January 6, 2005
Reply to Office Action of August 11, 2004
Attorney Docket No. 115-031453

REMARKS

This Amendment cancels claim 12 and amends claims 4 and 10. The foregoing amendments attend to the Examiner's claim objections and rejection of claim 12 under 35 USC § 112, second paragraph.

In the August 11, 2004 Office Action, claims 1-6, 9, 10, and 13-16 stand rejected under 35 USC § 103(a) for obviousness over United States Patent No. 6,267,714 to Wild et al. ("Wild"). Claims 7, 8, and 11 stand rejected under 35 USC § 103(a) for obviousness over Wild in view of United States Patent No. 4,070,951 to Bala. Finally, claim 17 stands rejected under 35 § 103(a) for obviousness over Wild in view of European Reference No. 0400596 to Glaser. In view of the following remarks, Applicant respectfully requests reconsideration of the Examiner's obviousness rejections.

Independent claim 1 is directed to a device for manufacturing packaging bags comprised of a first transport roller, a first servomotor connected to the first transport roller, a second transport roller, and a second servomotor connected to the second transport roller. First and second sensors are located upstream from the first and second transport rollers. A control device is connected with the first and second servomotors and the first and second sensors. The control device which controls the first and second servomotors. At least one buffer is located downstream of the first and second transport rollers.

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Wild discloses a bag producing apparatus that is generally illustrated in Fig. 1 of this patent. In Fig. 1, the disclosed bag producing apparatus includes two supply rollers (22), two spring-biased tensioning means (24), two pairs of deflection rollers (26, 28), and two downstream transport rollers (29). The apparatus further includes a pair of optical sensors (38, 39) located downstream of the second pair of deflection rollers (28). A sealing means (30) is located immediately downstream of the optical sensors (38, 39) and before the transport rollers (29). A pair of clip means (44) is located upstream of the second pair of deflection rollers (28), optical sensors (38, 39), and sealing means (30). The clip means (44) is connected to a control unit (40), which also controls the sealing means (30). The control unit (40) is also operatively connected to the optical sensors (38, 39).

Applicant respectfully submits that the device for manufacturing packaging bags set forth in independent claim 1 would not have been obvious over Wild. Independent claim 1 requires a specific order for the sensors (14, 15), transport rollers (25, 26), and downstream buffer (43). In the claimed arrangement, the sensors (14, 15) are arranged first, the transport rollers (25, 26) are arranged second, and the buffer (43) is located downstream of the transport rollers (25, 26). This arrangement has the advantage that the films do not have to be sealed together as soon as their registering marks are brought together. The films may be transported unconnected and, in the case where the marks on the two films drift from each other after they have been brought together, the downstream buffer (43) can compensate for this drift. Thus, in contrast to prior art, the packaging bag manufacturing devices of independent claim 1 includes a novel and non-obvious downstream buffer for compensating for drift between the two films.

Appl. No. 10/629,473
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Attorney Docket No. 115-031453

In contrast, Wild discloses a bag producing apparatus that is well known in the art and includes a conventional upstream tensioning device in the form of clip means (44) or a stretching device (46). In the arrangement disclosed by Wild, the tensioning device or buffer, (i.e., clip means (44) or stretching device (46)) is disposed first in the process, then the optical sensors (38, 39) are next positioned in the process, followed immediately thereafter by the sealing means (30), and the transport roller (29). In the arrangement disclosed by Wild, the tensioning device or buffer is located upstream of the sealing step, whereas in the presently claimed arrangement and additional buffer is located downstream of the sealing step and which is adapted to compensate for any drift between the two films. Wild contains no teaching or suggestion of such a downstream buffer and the transport roller (29) disclosed by Wild are merely conveying rollers.

The upstream position disclosed by Wild is the normal location for this device for the tensioning device or buffer so that one of the films can be stretched in order to bring the marks on the films into the correct position for the sealing operation. The sealing operation can be then accomplished as soon as possible to fix the films together in the correct configuration. One skilled in the art would always try to seal the films together as soon as possible after the marks on the films are registered. Applicant submits that it would not have been obvious to locate a downstream additional (i.e., compensating). This is not taught or suggested by Wild, nor any of the other references cited by the Examiner. Wild simply shows the conventional arrangement known in the art and not the novel and non-obvious arrangement claimed in independent claim 1.

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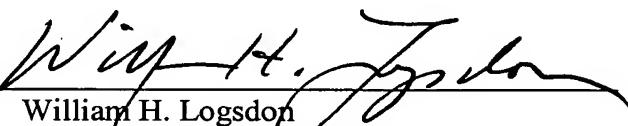
For the foregoing reasons, Applicant respectfully disagrees with Examiner's obviousness rejection of independent claim 1 over Wild and request reconsideration.

Bala was cited in connection with claims 7, 8, and 11, and Glaser was cited in connection with claim 17. Neither of these references overcome the previously discussed deficiencies of Wild, and are not pertinent to the limitations set forth in independent claim 1. Accordingly, Applicant respectfully submits that the dependent claim 7, 8, 11, and 17 further distinguish over Wild and are in condition for allowance.

In view of the foregoing, Applicant respectfully requests reconsideration of the Examiner's rejection of pending claims 1-11 and 13-17.

Respectfully submitted,

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